AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of claims:

1. (original) A method for regulating the expression of a gene of interest in a host cell that comprises a CodY-like protein comprising providing said cell with a gene of interest in operable linkage with a promoter and at least one CodY target sequence.

2. (original) A method according to claim 1, wherein said promoter and/or said CodY target sequence is heterologous with regard to said gene of interest.

3. (currently amended) ~~A~~ **The** method according to claim 1 ~~or 2~~, wherein said CodY target sequence is heterologous with regard to said promoter.

4. (currently amended) ~~A~~ **The** method according to ~~any one of claims 1 to 3~~ **claim 1**, wherein said gene of interest is a gene from a gram-positive bacterium.

5. (currently amended) ~~A~~ **The** method according to ~~any one of claims1 to 4~~ **claim 1**, wherein said gene of interest encodes a protease or a peptidase or an

anti-microbial peptide or a vitamin.

6. (currently amended) **~~A~~ The** method according to **~~any one of claims 1 to 5~~ claim 1**, wherein said CodY target sequence comprises a sequence as depicted in Figure 6A or a functional equivalent and/or a functional fragment thereof.

7. (currently amended) **~~A~~ The** method according to **~~any one of claims 1-6~~ claim 1**, wherein said CodY target sequence comprises a sequence as depicted in Figure 6B or a functional equivalent and/or a functional fragment thereof.

8. (currently amended) **~~A~~ The** method according to **~~any one of claims1-7~~ claim 1**, wherein said CodY target sequence comprises a sequence as depicted in Table 4, Table 4A, Table 5, Table 6, Table 7and/or Table 8, or a functional equivalent and/or a functional fragment thereof.

9. (currently amended) **~~A~~ The** method according to **~~any one of claims1-8~~ claim 1**, wherein said CodY target sequence comprises an ATGTTCA sequence and an inversely repeated ATGTTCA sequence.

10. (currently amended) **~~A~~ The** method according to claim 9, wherein said nucleic acid sequence comprises a spacing of about 9 base pairs between said ATGTTCA sequence and said inversely repeated ATGTTCA sequence.

11. (currently amended) ~~A~~ **The** method according to claim 9 ~~or 10~~, wherein said nucleic acid sequence comprises the sequence ATGTTCAGAAAATTCATGAACAT.

12. (currently amended) ~~A~~ **The** method according to ~~any one of claims 1 to 11~~ **claim 1**, further comprising influencing the binding between said CodY-like protein and said at least one CodY target sequence.

13. (currently amended) ~~A~~ **The** method according to claim 12, wherein said binding is regulated by subjecting said cell to a change in a growth condition.

14. (currently amended) ~~A~~ **The** method according to claim 12 ~~or 13~~, wherein said binding is regulated by subjecting said cell to a growth limiting condition.

15. (currently amended) ~~A~~ **The** method according to claim 14, wherein said growth limiting condition is a limited availability of a nitrogen source.

16. (currently amended) ~~A~~ **The** method according to ~~any one of claims 1 to 15~~ **claim 1**, wherein said host cell is a cell from a (dairy) food production species.

17. (currently amended) ~~A~~ **The** method according to claim 16, wherein said species is selected from a Lactococcus or Lactobacillus or Streptococcus or

Leuconostocor Pediococcus or Bifidobacterium or Carnobacterium or Propionibacterium.

18. (currently amended) ~~A~~ **The** method according to ~~any one of claims 1 to 17~~ **claim 1**, wherein said host cell is provided with a nucleic acid encoding a CodY-like protein.

19. (original) An isolated or recombinant nucleic acid that comprises at least one CodY target sequence or a functional fragment and/or a functional equivalent thereof.

20. (currently amended) ~~A~~ **The** nucleic acid according to claim 19, further comprising a promoter in operable linkage with a gene of interest.

21. (currently amended) ~~A~~ **The** nucleic acid according to claim 19 ~~or 20~~ further comprising a gene encoding a CodY-like protein.

22. (currently amended) ~~A~~ **The** nucleic acid according to claim 20 ~~or 21~~, wherein said promoter and/or said at least one CodY target sequence is heterologous with regard to said gene of interest.

23. (currently amended) ~~A~~ **The** nucleic acid according to any one of claims 20

~~to 22~~, wherein said CodY target sequence is heterologous with regard to said promoter.

24. (currently amended) ~~A~~ **The** nucleic acid according to ~~any one of claims 20 to 23~~ **claim 20**, wherein said gene of interest is a gene from a gram-positive bacterium.

25. (currently amended) ~~A~~ **The** nucleic acid according to ~~any one of claims 20 to 24~~ **claim 20**, wherein said gene of interest encodes a protease or a peptidase or an anti-microbial peptide or a vitamin.

26. (currently amended) ~~A~~ **The** nucleic acid according to ~~any one of claims 19 to 25~~ **claim 19**, wherein said CodY target sequence comprises a sequence as depicted in Figure 6A or a functional equivalent and/or a functional fragment thereof.

27. (currently amended) ~~A~~ **The** nucleic acid according to ~~any one of claims 19 to 26~~ **claim 19**, wherein said CodY target sequence comprises a sequence as depicted in Figure 6B or a functional equivalent and/or a functional fragment thereof.

28. (currently amended) ~~A~~ **The** nucleic acid according to ~~any one of claims 19~~

~~to 27~~ **claim 19**, wherein said CodY target sequence comprises a sequence as depicted in Table 4, Table 4A, Table 5, Table 6, Table 7 and/or Table 8, or a functional equivalent and/or a functional fragment thereof.

29. (currently amended) ~~A~~ **The** nucleic acid according to ~~any one of claims 19 to 28~~ **claim 19**, wherein said CodY target sequence comprises an ATGTTCA sequence and an inversely repeated ATGTTCA sequence.

30. (currently amended) ~~A~~ **The** nucleic acid according to claim 29, wherein said nucleic acid sequence comprises a spacing of about 9 base pairs between said ATGTTCA sequence and said inversely repeated ATGTTCA sequence.

31. (currently amended) ~~A~~ **The** nucleic acid according to claim 29 ~~or 30~~, wherein said nucleic acid sequence comprises the sequence ATGTTCAGAAAATTCATGAACAT.

32. (currently amended) A vector comprising a nucleic acid according to ~~any one of claims 19 to 31~~ **claim 19**.

33. (currently amended) A gene delivery vehicle comprising a nucleic acid according to ~~any one of claims 19 to 31~~ **claim 19** or a vector according to claim 32.

34. (currently amended) A host cell comprising a nucleic acid according to ~~any one of claims 19 to 31~~ **claim 19**, a vector according to claim 32 or a gene delivery vehicle according to claim 33.

35. (original) A host cell according to 34 which is a cell from a (dairy) food production species.

36. (currently amended) ~~A~~ **The** host cell according to claim 34 ~~or 35~~, wherein said species is selected from a Lactococcus or Lactobacillus or Streptococcus or Leuconostoc or Pediococcus or Bifidobacterium or Carnobacterium or Propionibacterium.

37. (currently amended) ~~Use~~ **A method for using** ~~of~~ at least one CodY target sequence for regulating the expression of a gene of interest.

38. (currently amended) ~~Use~~ **The method** according to claim 37, wherein said target sequence comprises a sequence as depicted in Figure 6A, Figure 6B, Table 4, Table 4A, Table 5, Table 6, Table 7 and/or Table 8, or a functional equivalent and/or a functional fragment thereof.

39. (currently amended) ~~Use~~ **The method** according to claim 37 ~~or 38~~, wherein

said CodY target sequence comprises an ATGTTCA sequence and an inversely repeated ATGTTCA sequence.

40. (currently amended) ~~Use~~ **The method** according to ~~any one of claims 37 to 39~~ **claim 37**, wherein said nucleic acid sequence comprises a spacing of about 9 base pairs between said ATGTTCA sequence and said inversely repeated ATGTTCA sequence.

41. (currently amended) ~~Use~~ **The method** according to ~~any one of claims 37 to 40~~ **claim 37**, wherein said nucleic acid sequence comprises the sequence ATGTTCAGAAAATTCATGAACAT.

42. (currently amended) A method for producing a (dairy) food product comprising a step wherein a nucleic acid according to ~~any one of claims 19 to31~~ **claim 19**, a vector according to claim 32, a gene delivery vehicle according to claim 33 or a host cell according to ~~any one of claims 34 to36~~ **claim 34** is used.

43. (currently amended) ~~A~~ **The** method according to claim 42, wherein said dairy product is a cheese or a fermented milk product.

44. (original) A cheese or a fermented milk product obtainable by a method

according to claim 42 ~~or 43~~.

45. (original) A method for at least in part preventing the formation of off-flavours during a process for the production of a (dairy) food product, comprising providing at least one CodY target sequence upstream of a gene which product is, directly or indirectly, involved in the formation of off-flavours.

46. (currently amended) ~~Use~~ **A method for using** ~~of~~ a nucleic acid according to ~~any one of claims 19 to 31~~ **claim 19**, or a vector according to claim 32 or a gene delivery vehicle according to claim 33 or a host cell according to ~~any one of claims 34 to 36~~ **claim 34** for increasing the expression of a gene of interest in a stationary phase culture or equivalents of said culture.

47. (currently amended) ~~Use~~ **The method** according to claim 46, wherein said gene of interest comprises a gene encoding an antimicrobial substance, such as a bacteriocin.

48. (currently amended) ~~Use~~ **The method** according to claim 46, wherein said gene of interest comprises a gene encoding a flavour compound, vitamin, or a proteinaceous molecule involved in cell lysis.

49. (currently amended) ~~Use~~ **A method for using** ~~of~~ a nucleic acid according to

~~any one of claims 19 to 31~~ **claim 19** or a vector according to claim 32 or a gene delivery vehicle according to claim 33 or a host cell according to ~~any one of claims 34 to 36~~ **claim 34** for decreasing the expression of a gene in a stationary phase culture or equivalents of said culture.

50. (currently amended) ~~Use~~ **The method** according to claim 49, wherein an antisense nucleic acid sequence of an undesired gene is provided in operable linkage with a promoter and at least one CodY target sequence.

51. (currently amended) ~~Use~~ **The method** according to claim 49 ~~or 50~~, wherein said gene is involved with acidification.